

BEFORE THE  
COMMISSION ON STATE MANDATES

IN RE REQUESTS TO AMEND  
PARAMETERS AND GUIDELINES:

Education Code Section 51225.3, Statutes  
1983, Chapter 498

Filed by San Diego Unified School District  
on August 13, 1996; and amended to add  
Castro Valley Unified School District,  
Clovis Unified School District, Fullerton  
Joint Union High School District,  
Grossmont Union High School District,  
San Jose Unified School District, and  
Sweetwater Union High School District  
(Co-Requesting Parties) on  
October 13, 2006 (dated October 9, 2007);

Filed by Mountain View-Los Altos High  
School District on October 13, 2005;

Filed by Co-Requesting Parties on  
March 2, 2007 (dated February 28, 2007);

Filed by San Diego Unified School District  
on March 2, 2007 (dated February 28,  
2007);

Filed by the San Diego Unified School  
District on April 16, 2007 (dated April 12,  
2007) to withdraw the letter dated February  
28, 2007 and to replace with comments  
intended to modify the language proposed  
in 1996; and

Filed by the State Controller's Office on  
March 20, 2007 (dated March 16, 2007).

Case Nos. CSM-4181 A

05-PGA-05, 06-PGA-04, and 06-PGA-05

*Graduation Requirements Program*

NOTICE OF COMMENT PERIOD AND  
INFORMATIONAL HEARING AND  
BACKGROUND INFORMATION

Hearing Date: December 6, 2007

Website:  
[csm.ca.gov/GraduationRequirements](http://csm.ca.gov/GraduationRequirements)

This notice of comment period and informational hearing supersedes all previous notices issued on the above-referenced Requests to Amend Parameters and Guidelines.

On March 29, 2007, a pre-hearing Conference was held on the Proposed Amendments to the Parameters and Guidelines for the *Graduation Requirements* program. During this conference, it was agreed that after providing the Department of Finance (DOF) with a copy of the administrative record of the incorrect reduction claims and Superior Court Decision in *San Diego Unified School District, et al v. Commission on State Mandates, et al* (2005), Sacramento County Superior Court, Case No. 03CS01401, the Commission would re-notice the requests to amend the parameters and guidelines for public comment

and also prepare background information on the status of the pending requests. Since the pre-hearing conference, the following has occurred:

- On April 12, 2007, the San Diego Unified School District withdrew the comments filed on February 28, 2007 and replaced it with comments intended to modify the language proposed in 1996.
- On May 30, 2007, the administrative record requested by the Department of Finance was completed and delivered.

Accordingly, the Commission is re-noticing the requests to amend the parameters and guidelines for public comment.

### **Requests to Amend Parameters and Guidelines**

Four pending requests to amend the parameters and guidelines for the *Graduation Requirements* program have been filed and are deemed complete. The following proposals and the attached Background Information will be available for review on the Commission's website at: <http://csm.ca.gov/GraduationRequirements>.

1. San Diego Unified School District – Filed August 13, 1996 (CSM-4181-A)  
Proposed language modified April 12, 2007  
Potential Period of Reimbursement – Beginning Fiscal Year 1995-1996  
  
This proposal requests that the parameters and guidelines (amended on January 24, 1991) be amended to include a standardized method (the “One Quarter Class Load Method”) for calculating the increased costs to school districts for staffing and supplying the science course.  
  
This request was continued by the Commission, at its September 26, 1996 hearing, until after the incorrect reduction claims were resolved. The incorrect reduction claim filed by SDUSD was resolved on October 26, 2006.  
  
On October 9, 2006, San Diego Unified School District requested that the following school districts be added as requesting parties: Castro Valley Unified School District, Clovis Unified School District, Fullerton Joint Union High School District, Grossmont Union High School District, San Jose Unified School District, and Sweetwater Joint Union High School District.  
  
On April 16, 2007, San Diego Unified School District requested modification of the language proposed in 1996, without prejudice to the effective date of the 1996 request.
2. Mountain View-Los Altos High School District – Filed October 13, 2005 (05-PGA-05)  
Potential Period of Reimbursement – Beginning Fiscal Year 2004-2005  
  
This proposal seeks to amend the “Offsetting Savings and Reimbursement” section of the parameters and guidelines by adding language directly from the court ruling and judgment in the San Diego Unified School District action (Sacramento County Superior Court, Case No. 03CS01401).

The proposed language states the following:

The State Controller, when auditing school district's reimbursement claims under section VI of these parameters and guidelines, may require that claimants provide detailed documentation of offsetting savings directly resulting from their provision of the second science course, including savings that offset the salaries of teachers hired for the second science course. The State Controller can require claimants to demonstrate that the second science course has increased the number of classes provided during the school day and year along with the number of teachers required for the classes provided. The State Controller may not deny reimbursement of costs for teachers' salaries incurred by a school district in providing a second science course pursuant to Education Code section 51225.3(a)(1) on the ground that the school district could have offset these costs by using its authority under Education Code section 44955(b) to terminate teachers of other courses provided by the school district, in particular, courses provided pursuant to Education Code section 51225.3(a)(2).

3. Castro Valley Unified School District, Clovis Unified School District, Fullerton Joint Union High School District, Grossmont Union High School District, San Jose Unified School District, and Sweetwater Joint Union High School District - Filed March 2, 2007 (06-PGA-05)  
Potential Period of Reimbursement Beginning 2006-2007

In addition to joining in the San Diego Unified School District request to add the "One Quarter Class Load Method" to claim reimbursement for teacher salary costs, these districts also propose new amendments as follows:

- To include a methodology for claiming costs for "other science instruction personnel."
- To include a methodology for claiming costs for acquisition and remodeling facilities, equipment and furniture, and science instruction materials - The districts propose that language be added to specify that in the absence of more precise cost accounting documentation, the calculated cost of these items for the mandated additional year of science be 50% of the actual total cost expended during the claim year, reduced by 50% of the total amount of any restricted funding or reimbursement received (such as state school construction bond proceeds) for that purpose during the claim year.
- To amend the "Offsetting Savings and Other Reimbursement" section of the parameters and guidelines to be consistent with the court's decision in the *San Diego Unified School District* case.

4. State Controller's Office – Filed March 16, 2007 (O6-PGA-04)  
Potential Reimbursement Period Beginning 2006-2007

This proposal requests that the parameters and guidelines be amended as follows:

- To include a standardized method (the “One Quarter Class Load Method”) for calculating the increased costs to school districts for staffing and supplying the science course.
- To include a methodology for claiming costs for increased material and supply costs.
- To include language requiring supporting documentation for the amount received by a school district to construct a new facility from restricted resources or state bond funds.

**NOTICE OF COMMENT PERIOD**

To expedite the Commission's consideration of these requests, interested parties, state agencies, and interested persons are invited to file comments with the Commission on the proposed amendments described above.

Comments on all of the above requests are due on July 9, 2007 with rebuttal comments due on August 8, 2007.

An original and one copy, or an original and an Adobe Acrobat PDF file, shall be submitted to the Commission on State Mandates, 980 9<sup>th</sup> Street, Suite 300, Sacramento, CA 95814. PDF files should be e-mailed to [csminfo@csm.ca.gov](mailto:csminfo@csm.ca.gov). All comments and rebuttals will be posted on the Commission's website at [csm.ca.gov](http://csm.ca.gov).

This will satisfy all the service requirements under California Code of Regulations, title 2, section 1181.2, subdivision (d)

**DRAFT STAFF ANALYSES AND NOTICE OF HEARING DATE**

After the record closes, Commission staff will review the proposals, comments, and rebuttals and prepare draft staff analyses and proposed amendments to the parameters and guidelines for public comment and review.

The requests to amend the parameters and guidelines are scheduled for hearing on December 6, 2007. The draft staff analyses will be issued on October 11, 2007, and comments on the drafts are due on October 31, 2007. The final staff analyses will be issued on November 22, 2007.

If you have any questions regarding this matter, please contact me at (916) 323-8210.

Dated: June 8, 2007 \_\_\_\_\_

Paula Higashi, Executive Director

## ATTACHMENTS

Attachment 1. Background Information

Attachment 2. Current Claiming Instructions (includes Parameters and Guidelines amended on December 9, 2005)

Attachment 3A San Diego Unified School District Request to Amend Parameters and Guidelines (Ps&Gs)(CSM-4181-A); 3B. San Diego Unified School District Letter to CSM to add requesting parties. (dated October 29, 2006); 3C.Requesting Parties Letters; 3D San Diego Unified School District Letter (dated February 28, 2007); 3E San Diego Unified School District Letter (dated April 12, 2007)

Attachment 4. Parameters and Guidelines Amendment filed by Mountain View-Los Altos High School District (05-PGA-05)

Attachment 5. Castro Valley Unified School District, et al. Letter to CSM, re Pending Requests to Amend Parameters and Guidelines (CSM-4181-A) and new Request (06-PGA-05) (dated February 28, 2007)

Attachment 6. State Controller's Office Letter and Request to Amend Parameters and Guidelines (06-PGA-04) (dated, March 16, 2007)